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| FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112 | | | HOSSAIN, FARZANA E | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---------------------------------------|--|--|
| Office Action Summary | Application No. 10/025,864 | Applicant(s) YOKOMIZO, YOSHIKAZU | |
| | Examiner Farzana E. Hossain | Art Unit 2623 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 14-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 14-24 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I (Claims 1-13) in the reply filed on June 16, 2006 is acknowledged. The traversal is on the ground(s) that there would not be undue burden in examining two groups of claims in a single application. This is not found persuasive because Claims 14-24 or Group II is drawn to a system which broadcasts address information indicating a location of a server summarizing answers received from an audience and the server determining the success or failure of a lottery, and also a prize quiz whereas Group I is drawn towards a system with a broadcast station which broadcasts address information indicating a location of content upon selection of the second program and a sponsor of the program.

The requirement is still deemed proper and is therefore made FINAL.

Drawings

2. The drawings are objected to because they fail to show labels for "10" of Figure 1 and Figure 2 as described in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the

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appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 1 is objected to because of the following informalities:

Page 2; line 8 recites "said content server". Office assumes --content management server--.

Page 1, line recites "managing/delivering." The Office would like to point out that managing/delivering is met by managing or delivering.

Appropriate correction is required.

4. Claims 8-10 are objected to because of the following informalities: The three claims recite "said sponsor" (Page 39, line 17, Page 40, line 11, Page 41, line 6) for the first instance of sponsor. Office assumes --a sponsor--. Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 7, 10, and 13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims define a storage medium holding a program embodying functional descriptive material. However, the claim does not define a computer-readable medium or memory and is thus non-statutory for that reason (i.e., "When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized" which can be found in the Guidelines Annex IV). That is, the scope of the presently claimed storage medium holding a program can range from paper on which the program is written, to a program simply contemplated and memorized by a person. Any amendment to the claim should be commensurate with its corresponding disclosure.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
9. Regarding claim 1, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feinleib et al (US 2005/0166257 and hereafter referred to as "Feinleib") in view of Zigmond (US 2006/0010471) and Philyaw (US 2004/0210943).

Regarding Claim 1, Feinleib discloses an Internet DTV system having: a digital broadcast station or primary content provider or broadcast headend (Figure 1, 22(1), Page 2, paragraph 0030) that broadcasts a program by using a well-known broadcast radio wave such as a ground wave or a satellite wave (Page 3, paragraph 0029); a commercial server or primary content provider (Figure 1, 22(2)) provided on or data network the Internet (Page 3, paragraphs 0027-0029) that holds a content management

server or Enhancing Content Server (Figure 1, 22(2)), managing/delivering second programs including animated images and advertisements (Page 2, paragraph 0023, Page 3, paragraph 0032), and a terminal (Figure 1, 24(1-4)), provided on the audience side, that receives a digital broadcast and accesses the Internet (Figure 1, Page 2, paragraph 0026-0029), wherein the broadcast station comprising: means for broadcasting information described in a predetermined format specifying the program as the receiver receives broadcast data in particularized format such as MPEG data (Page 4, paragraph 0061), display of a second program to be selected by the audience (Page 3, paragraph 0033, address information indicating a location of content upon selection of the second program or hyperlink or of the content upon selection (Page 3, paragraph 0033, Page 4, paragraph 0055) and an identification of the sender of the enhancement (Page 3, paragraph 0044) or a sponsor of the program. It is well known in the art that any entity that sponsors or is affiliated with the program such as with merchandise on/related to the show or includes commercials on the show can be a sponsor. Feinleib discloses a sender of the data for merchandise, advertisements or information is affiliated with the program. Therefore, the commercial server holds sponsor commercials or advertisements (Page 2, paragraph 0023, Page 3, paragraph 0032). Feinleib discloses wherein the terminal comprising: means for receiving information from the broadcast station (Figure 1, 24(1-4)); access means for accessing the Internet (Page 4, paragraph 0061); first output means for combining the received program with the second program in accordance with received description and outputting the program to a predetermined display device (Page 5, paragraph 0068-0069,

Figure 4); input means for inputting designation information from an operator (Figure 4, 122, 128, Page 2, paragraph 0015); request means for, if an input designation is related to the second program, accessing the content management server by the access means by using a described URL for the second program (Page 4, paragraph 0061), and issuing a request for transfer of the content (Figure 1, 22(2), Figure 3, Page 5, paragraph 0064); and second output means for outputting the content received from the content server to the display device (Page 6, paragraph 0096).

Feinleib is silent on address information the sponsor of the program, notifying information to specify the sponsor, further wherein content management server comprising: means for, if information requested from the request means of the terminal includes information specifying the sponsor, requesting commercial information of the sponsor from the commercial server; and means for combining the commercial information sent from the commercial server with the content requested by the terminal and transmitting the information to the terminal, further wherein the commercial server comprising: a database that holds commercial contents with the information specifying the sponsor as a key; and means for searching for a corresponding commercial content from the database based on the information specifying the sponsor requested from the content management server, and notifying the commercial content to the content management server.

Zigmond discloses a broadcast station broadcasting the television signal to the user terminal (Figure 3, 8) and a delivering a second program or advertisement or link to the user terminal which includes a address information of the second program and a

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sponsor of the program (Page 4, paragraphs 0040-0048) and notifying information to specify the sponsor (Page 4, paragraphs 0040-0048). Philyaw discloses an Internet DTV system having: a digital broadcast station (Figure 1, 101) that broadcasts a program by using a well-known broadcast radio wave such as a ground wave (Figure 1, 108, Page 3, paragraph 0041); a commercial server (Figure 3, 312) provided on the Internet (Figure 3, 306, Page 3, paragraph 0043) that holds a content management server or Advertiser Reference Server (Figure 3, 308), managing/delivering second programs or advertisements (Figure 8, 806), and a terminal (Figure 3, 117, 110, 112, Figure 3, 110, 302), provided on the audience side, that receives a digital broadcast and accesses the Internet (Figure 3, Page 3, paragraph 0043), wherein the broadcast station comprising: address information indicating a location of content upon selection of the second program and a sponsor of the program or the advertiser of the products in the program (Pages 3-4, paragraph 0045, 0048), and wherein the terminal comprising: input means for inputting designation information from an operator (Figure 8, Page 3, paragraph 0043, Page 4, paragraph 0049); request means for, if an input designation is related to the second program, accessing the content management server by the access means by using a described URL for the second program (Pages 3-4, paragraph 0045), notifying information to specify the sponsor or advertiser, and issuing a request for transfer of the content (Pages 3-4, paragraph 0045); and second output means for outputting the content received from the content server to the display device (Page 4, paragraph 0049), further wherein content management server or ARS server comprising: means for, if information requested from the request means of the terminal

includes information specifying the sponsor or advertiser (Page 4, paragraph 0049), requesting commercial information or advertisement information of the sponsor or advertiser from the commercial server or the advertiser server (Page 4, paragraph 0049); and means for combining the commercial information sent from the commercial server with the content requested by the terminal and transmitting the information to the terminal (Page 4, paragraph 0049), further wherein the commercial server comprising: a database that holds commercial contents or product information with the information specifying the sponsor or advertiser as a key; and means for searching for a corresponding commercial content from the database based on the information specifying the sponsor requested from the content management server, and notifying the commercial content to the content management server as the ARS server is routed by the URL which is requested by the operator and the ARS server connects to the advertiser server with the URL to retrieve the advertiser product information (Page 4, paragraph 0049).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Feinleib to include address information of the second program and a sponsor of the program (Page 4, paragraphs 0040-0048) and notifying information to specify the sponsor (Page 4, paragraphs 0040-0048) as taught by Zigmond in order to make clear the identified resource (Page 4, paragraph 0041) as disclosed by Zigmond. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Feinleib to include notifying information to specify the sponsor or advertiser, further wherein content management

server or ARS server comprising: means for, if information requested from the request means of the terminal includes information specifying the sponsor or advertiser (Page 4, paragraph 0049), requesting commercial information or advertisement information of the sponsor or advertiser from the commercial server or the advertiser server (Page 4, paragraph 0049); and means for combining the commercial information sent from the commercial server with the content requested by the terminal and transmitting the information to the terminal (Page 4, paragraph 0049), further wherein the commercial server comprising: a database that holds commercial contents or product information with the information specifying the sponsor or advertiser as a key; and means for searching for a corresponding commercial content from the database based on the information specifying the sponsor requested from the content management server, and notifying the commercial content to the content management server as the ARS server is routed by the URL which is requested by the operator and the ARS server connects to the advertiser server with the URL to retrieve the advertiser product information (Page 4, paragraph 0049) as taught by Philyaw in order to provide the most up to date information to the user based on the request (Page 2, paragraph 0004) as disclosed by Philyaw.

Regarding Claim 3, Feinleib, Zigmond, and Philyaw disclose all the limitations of Claim 1. Feinleib discloses that the terminal has a form of set top box connected to a television receiver owned by the audience (Page 4, paragraph 0059).

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12. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Feinleib in view of Zigmond and Philyaw as applied to claim 1 above, and further in view of Rajan (WO 00/01154).

Regarding Claim 2, Feinleib, Zigmond, and Philyaw disclose all the limitations of Claim 1. Feinleib discloses receiving a digital broadcast and receiving MPEG2 data (Page 4, paragraph 0061). Feinleib, Zigmond, and Philyaw are silent on the terminal further comprises: an MPEG2 decoder for a digital broadcast; means for interpreting a BIFS description as a scene description; and means for decoding MPEG4 data from the content management server. Rajan discloses a terminal with a MPEG2 decoder for a digital broadcast (Page 12, lines 1-12, Page 4, lines 3-7, Figure 1, 133, 122); means for interpreting a BIFS description as a scene description (Figure 1, 122, Page 10, lines 9-30, Page 11, lines 1-31); and means for decoding MPEG4 data (Figure 1, 122-133, Page 19, lines 3-9) from the content management server or server (Page 10, lines 9-19). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Feinleib to include a terminal with a MPEG2 decoder for a digital broadcast (Page 12, lines 1-12, Page 4, lines 3-7, Figure 1, 133, 122); means for interpreting a BIFS description as a scene description (Figure 1, 122, Page 10, lines 9-30, Page 11, lines 1-31); and means for decoding MPEG4 data (Figure 1, 122-133, Page 19, lines 3-9) from the content management server or server (Page 10, lines 9-19) as taught by Rajan in order to present multimedia program using MPEG-4 standard which allows easier manipulation (Page 1, lines 7-15, Page 2, lines 12-22) as disclosed by Rajan.

13. Claims 4, 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feinleib in view of Zigmond.

Regarding Claims 4 and 6, Feinleib discloses a broadcast station system and control method for delivering a program as digital information to a digital broadcast receiver (Page 4, paragraph 0061) having an Internet access function (Page 4, paragraph 0061), comprising: means for broadcasting information described in a predetermined format specifying the program (Page 4, paragraph 0061), display of a second program to be selected by an audience (Page 3, paragraph 0033), address information indicating a location of content upon selection of the second program or hyperlink or of the content upon selection (Page 3, paragraph 0033, Page 4, paragraph 0055) and an identification of the sender of the enhancement (Page 3, paragraph 0044) or a sponsor of the program. It is well known in the art that any entity that sponsors or is affiliated with the program such as with merchandise on/related to the show or includes commercials on the show can be a sponsor. Feinleib discloses a sender of the data for merchandise, advertisements or information is affiliated with the program. Feinleib is silent on address information the sponsor of the program.

Zigmond discloses a broadcast station broadcasting the television signal to the user terminal (Figure 3, 8) and a delivering a second program or advertisement or link to the user terminal which includes a address information of the second program and a sponsor of the program (Page 4, paragraphs 0040-0048).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Feinleib to include address information of the second

program and a sponsor of the program (Page 4, paragraphs 0040-0048) as taught by Zigmond in order to make clear the identified resource (Page 4, paragraph 0041) as disclosed by Zigmond.

Regarding Claim 7, Feinleib discloses a storage medium or personal computers or workstations holding a program or operating system that server data files to broadcast satellite television for a broadcast station system or primary content server (Page 2, paragraph 0030) for delivering a program as digital information ton a digital broad cast receiver (Page 4, paragraph 0061) having an Internet access function (Page 4, paragraph 0061), wherein the program include program code or software (Page 2, paragraph 0030) of process for the disclosed in the above rejections of Claims 4 and 6.

Regarding Claims 8 and 9, Feinleib discloses a terminal and a control method for a terminal having an Internet access function (Page 4, paragraph 0061) provided on the audience side (Figure 1, 24(1-4) for receiving a digital broadcast (Figure 1, 24(1-4), Page 4, paragraph 0061) and outputting the program to a predetermined display device (Page 5, pargrah 0068-0069, Figure 4); comprising: means for receiving information from the broadcast station (Figure 1, 24(1-4) first output means for combining the received program with the second program in accordance with received description; access means for accessing the Internet (Page 4, paragraph 0061); first output means for combining the received program with the second program in accordance with received description and outputting the program to a predetermined display device (Page 5, pargrah 0068-0069, Figure 4); input means for inputting designation information from an operator (Figure 4, 122, 128, Page 2, paragraph 0015); request

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means for, if an input designation is related to the second program, accessing the content management server by the access means by using a described URL for the second program (Page 4, paragraph 0061), and issuing a request for transfer of the content (Figure 1, 22(2), Figure 3, Page 5, paragraph 0064); and second output means for outputting the content received from the content management server to the display device (Page 6, paragraph 0096). Feinleib is silent on notifying information to specify a sponsor. Zigmond discloses a broadcast station broadcasting the television signal to the user terminal (Figure 3, 8) and a delivering a second program or advertisement or link to the user terminal which includes a address information of the second program and a sponsor of the program (Page 4, paragraphs 0040-0048) and notifying information to specify the sponsor (Page 4, paragraphs 0040-0048). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Feinleib to include notifying information to specify the sponsor (Page 4, paragraphs 0040-0048) as taught by Zigmond in order to make clear the identified resource (Page 4, paragraph 0041) as disclosed by Zigmond.

Regarding Claim 10, Feinleib discloses a storage medium or computer or set top box (Page 4, paragraph 0059) holding a program that functions (Page 4, paragraph 0060, 0061, Page 5, paragraphs 0063-0065) as a terminal having an Internet access function (Page 4, paragraph 0061) provided on the audience side (Figure 1, 24(1-4) for receiving a digital broadcast (Figure 1, 24(1-4), Page 4, paragraph 0061) and outputting the program to a predetermined display device (Page 5, paragraph 0068-0069, Figure 4); wherein the program including program code or software (Page 4, paragraph 0060,

0061, Page 5, paragraphs 0063-0065) of process for the disclosed in the above rejections of Claims 8 and 9.

14. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Feinleib in view of Zigmond as applied to claim 4 above, and further in view of Srinivasan et al (US 2002/0038455 and hereafter referred to as "Srinivasan").

Regarding Claim 5, Feinleib and Zigmond disclose all the limitations of Claim 4. Feinleib and Zigmond are silent on the broadcast station system comprising a database that holds broadcast times of programs and relations between sponsors and the programs. Srinivasan discloses a system having: a digital broadcast station (Figure 1, 10). Srinivasan discloses a broadcast station system comprising a database that holds broadcast times of programs and relations between sponsors and the programs (Figure 1, Page 3-4, paragraphs 0041-0043, 0050, Figure 11, Figure 12). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Feinleib in view of Zigmond to include a broadcast station system comprising a database that holds broadcast times of programs and relations between sponsors and the programs (Figure 1, Page 3-4, paragraphs 0041-0043, 0050, Figure 11, Figure 12) as taught by Srinivasan in order to make sure that multimedia information is broadcast to as many people as possible and to determine a new way of advertising goods and services for advertisers (Page 1, paragraphs 0003, 0005) as disclosed by Srinivasan.

15. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feinleib in view of Philyaw.

Regarding Claim 11, Feinleib discloses a content management server or Enhancing Content Server and a control method for a content management server (Figure 1, 22(2)) for transferring a content in response to a request from a terminal having an Internet access function (Page 3, paragraph 0037, Page 5, paragraph 0068, Page 4, paragraph 0061), provided on the audience side for receive a digital broadcasting and outputting a video signal to a predetermined display device (Figure 1, Page 2, paragraph 0026-0029, Page 5, paragraph 0068-0069, Figure 4), comprising a content database that holds and manages contents (Page 3, paragraph 0035, Page 2, paragraph 0030-0031); first reception means for receiving information specifying the content (Figure 3, , Figure 5). It is well known in the art that any entity that sponsors or is affiliated with the program such as with merchandise on/related to the show or includes commercials or advertisements on the show can be a sponsor. Feinleib discloses a sender of the data for merchandise, advertisements or information is affiliated with the program. Feinleib discloses a reception means to transfer the commercial content from the secondary content server provided on the Internet and transmission means for extracting the content request from the terminal, from the database combining the content and transmitting the content to the terminal (Figure 5, Figure 3). Feinleib is silent on information specifying a sponsor or advertiser from the terminal; second reception means for, based on the information specifying the sponsor or sender received by the first reception means, requesting transfer of commercial

content corresponding to the sponsor from a predetermined commercial server provided on the Internet, and receiving the commercial content; and transmission means for extracting the content requested from the terminal, from the database, combining the content with the commercial content received by the second reception means, and transmitting the content to the terminal.

Philyaw discloses a content management server or Advertiser Reference Server (Figure 3, 308) managing/delivering second programs or advertisements (Figure 8, 806), and a terminal (Figure 3, 117, 110, 112, Figure 3, 110, 302), provided on the audience side, that receives a digital broadcast and accesses the Internet (Figure 3, Page 3, paragraph 0043), a reception means to receive information specifying a sponsor or advertiser from the terminal (Figures 4a-4e); further wherein content management server or ARS server comprising: means for, if information requested from the request means of the terminal includes information specifying the sponsor or advertiser (Page 4, paragraph 0049), requesting commercial information or advertisement information of the sponsor or advertiser from the commercial server or the advertiser server (Page 4, paragraph 0049); and means for combining the commercial information sent from the commercial server with the content requested by the terminal and transmitting the information to the terminal (Page 4, paragraph 0049), further wherein a content management server comprises a second reception means for, based on the information specifying the sponsor or advertiser received by the first reception means (Figures 4a-4e, Page 4, paragraph 0049), requesting transfer of commercial content corresponding to the advertiser from a predetermined commercial

or advertiser server provided on the Internet (Page 4, paragraph 0049), and receiving the commercial content; and transmission means for extracting the content requested from the terminal, from the database, combining the content with the commercial content received by the second reception means and transmitting the content to the terminal. (Page 4, paragraph 0049).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Feinleib to include information specifying a sponsor or advertiser from the terminal (Figures 4a-4e), a second reception means for, based on the information specifying the sponsor or advertiser received by the first reception means (Figures 4a-4e, Page 4, paragraph 0049), requesting transfer of commercial content corresponding to the advertiser from a predetermined commercial or advertiser server provided on the Internet (Page 4, paragraph 0049), and receiving the commercial content; and transmission means for extracting the content requested from the terminal, from the database, combining the content with the commercial content received by the second reception means and transmitting the content to the terminal. (Page 4, paragraph 0049) as taught by Philyaw in order to provide the most up to date information to the user based on the request (Page 2, paragraph 0004) as disclosed by Philyaw.

Regarding Claim 13, Feinleib discloses a storage medium or personal computers or workstations holding a program or operating system (Page 3, paragraph 0035, Page 2, paragraph 0030) for a content management server (Figure 1, 22(2)) for transferring a content in response to a request from a terminal having an Internet access function

(Page 3, paragraph 0037, Page 5, paragraph 0068, Page 4, paragraph 0061), provided on the audience side for receive a digital broadcasting and outputting a video signal to a predetermined display device (Figure 1, Page 2, paragraph 0026-0029, Page 5, paragraph 0068-0069, Figure 4) wherein the program including program code or software (Page 2, paragraph 0030) of process for the disclosed in the above rejections of Claims 11 and 12.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shoff et al (US 2004/0210824 and hereafter referred to as "Shoff").

Shoff discloses a an Internet DTV system having: a digital broadcast station (Figure 1, 101) that broadcasts a program by using a well-known broadcast radio wave such a satellite wave (Page 3, paragraph 0032); a commercial server (Figure 4, 84) provided on the Internet (Figure 4, 82, Page 4, paragraph 0050), managing/delivering second programs or supplemental content such as animation or graphics (Page 3, paragraph 0037); and a terminal (Figure 4, 68, Figure 5, 100), provided on the audience side, that receives a digital broadcast and accesses the Internet (Figure 5, 100, Figure 4, 68), wherein the broadcast station comprising: means for broadcasting information described in a predetermined format specifying the program (Page 3, paragraph 0034), display of a second program to be selected by the audience (Page 3, paragraphs 0036, 0037, Page 7, paragraph 0081), address information indicating a location of content

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upon selection of the second program or hyperlink or of the content upon selection (Page 3, paragraphs 0037, 0038, 0041); wherein the terminal comprising: means for receiving information from the broadcast station (Figure 4, 74, 22); access means for accessing the Internet (Figure 1, 82); first output means for combining the received program with the second program in accordance with received description (Figure 5, 92, Figure 6, 158) and outputting the program to a predetermined display device (Figure 4, 66, Figure 6, 166); input means for inputting designation information from an operator or a viewer (Figure 6, 164); request means for, if an input designation is related to the second program (Figure 6, 170, Figure 7, 182), accessing the server by the access means by using a described URL for the second program (Figure 7, 182, Figure 4, 84), issuing a request for transfer of the content (Figure 7, 182); and second output means for outputting the content received from the server to display device (Figure 8a, Figure 8b, Figure 8c),

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

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